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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/689,700	10/22/2003	Hiroyuki Taguchi	SHO-0016	4656
23353	7590	10/05/2004	EXAMINER	
RADER FISHMAN & GRAUER PLLC LION BUILDING 1233 20TH STREET N.W., SUITE 501 WASHINGTON, DC 20036			NGUYEN, PHUONGCHI T	
			ART UNIT	PAPER NUMBER
			2833	

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/689,700

Applicant(s)

TAGUCHI, HIROYUKI

Examiner

Phuongchi Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) 3-10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

1. Applicant's election with traverse of an election Restriction Requirement in the reply filed on September 21, 2004 is acknowledged. It is noted that the applicant elects claims 1-2 and 11 drawn to an electrical connector.

The traversal is on the ground(s) that all claims is sufficiently related that a thorough search of the subject matter of the remaining claims. This is not found persuasive because Claims 1-2 and 11 are drawn to a electrical connector, classified in class 439, subclass 862; and Claims 3-10 are drawn to a different class such as a method of making electrical connector, classified in class 29, subclass 883.

Claims 3-10 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Bricaud et al (US6544074B2).

In regarding to claim 1, Bricaud et al discloses (figure 4) a connector, comprising a housing (52+54) for to and from which the card (C) can be inserted and pulled out along a surface of the housing (52+54); and a contact (100) built in the housing (52+54), the contact (100) having a pair of exposed ends (102, 104), one of the exposed ends (104), the other (102) of

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the exposed ends capable of connecting to the card (C) when the card (C) is inserted, wherein the housing (52+54) has a first communication hole (61') (figure 1) communicating with the contact (100 at 102), the first communication hole (61') having a diameter which allows a probe for a connector conduction test to be inserted into the first communication hole (61') (figure 1 and column 6, lines 42-46). "for electrically connecting (or capable of connecting) a card or a lead wire" is not positively recited in the claim.

In regarding to claim 11, Bricaud et al discloses a method for testing conduction of a connector for electrically connecting a card and a lead wire, including a housing (52+54) to and from which the card (C) can be inserted and pulled out along a surface of the housing (52+54) and a contact (100) built in the housing (52+54), the contact (100) having a pair of exposed ends (102, 104), one of the exposed ends (104), the other (102) of the exposed ends capable of connecting to the card (C) when the card (C) is inserted, the method comprising the steps of forming a communication hole (61') communicating with the contact (100) inside the housing (52+54), the communication hole (61') having a diameter which allows a probe for a connector conduction test to be inserted into the communication hole (61') (column 6, lines 42-46), and inserting the probe for a connector conduction test into the communication hole. "for electrically connecting (or capable of connecting) a card or a lead wire" is not positively recited in the claim.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bricaud et al (US6544074B2).

In regarding to claim 2, Bricaud et al discloses the invention, but lacks the diameter of the first communication hole being smaller than a width of the contact. It would have been obvious to one having ordinary skill at the time the invention was made to modify the diameter of the first communication hole of Bricaud et al to be smaller than a width of the contact for the probe directly inserting into the exposed contact ends during testing.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuongchi Nguyen whose telephone number is (571) 272-2012. The examiner can normally be reached on 8:00AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Bradley can be reached on (571) 272-2800 ext 33. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PCN

September 29, 2004

ROSS GUSHI
PRIMARY EXAMINER

